

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In Re: Overby-Seawell Company  
Customer Data Security Breach  
Litigation

Case No. 1:23-md-03056-SDG

**MOTION FOR TEMPORARY STAY OF  
MOTION FOR SETTLEMENT (ECF NO. 134)**

Plaintiff Kathy Keefer submits this motion seeking a fourteen day stay of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement and Preliminary Certification of Settlement Class (ECF No. 134) (the "Motion") in order to allow Plaintiff Keefer time to respond the Motion.

The Court previously appointed Ben Barnow to serve as Class Counsel with regards to the settlement reached between Kathy Keefer and Fulton Bank, N.A. ECF No. 88, ¶ 5. Plaintiff Keefer's counsel are analyzing whether the proposed settlement treats members of the Fulton Bank Subclass fairly. Resolving any disputes regarding the proposed settlement prior to the dissemination of notice is strongly in the best interests of the putative classes because doing so avoids the risk of incurring unnecessary notice costs. Because the Motion was filed as "unopposed," Plaintiff Keefer brings this motion to avoid the possibility of the Motion being granted before she has an opportunity to respond.

Plaintiff Keefer requests that the Court stay consideration of the Motion until April 26, 2024, in order to allow Plaintiff Keefer time to respond to the Motion.

Dated: April 12, 2024

Respectfully submitted,

/s/ Ben Barnow

Ben Barnow\*

Anthony L. Parkhill\*

**BARNOW AND ASSOCIATES,  
P.C.**

205 West Randolph Street, Ste. 1630

Chicago, IL 60606

Tel: 312.621.2000

Fax: 312.641.5504

b.barnow@barnowlaw.com

aparkhill@barnowlaw.com

*\*admitted pro hac vice*

*Counsel for Plaintiff Kathy Keefer*

**LOCAL RULE 7.1(D) CERTIFICATION OF COMPLIANCE**

Pursuant to Local Rule 7.1(D), undersigned counsel certifies that the foregoing brief has been prepared using Times New Roman font, 14 point.

/s/ Ben Barnow  
Ben Barnow

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above document was served upon all counsel of record via ECF electronic filing on April 12, 2024.

/s/ Ben Barnow  
Ben Barnow